

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

\* \* \*

John Flowers

**Plaintiff,**

V.

Isidro Baca, et al..

**Defendant.**

3:14-cv-00366-RCJ-WGC

## ORDER

8 The Plaintiff moves this Court to allow him sixty days to file an amended complaint with  
9 the aid of newly acquired counsel. Since the case has not progressed past screening, the Defendants  
10 have not yet been served for this case. Hence, the Plaintiff filed the motion ex parte. Instant counsel  
11 was appointed after the Court's deadline to amend the complaint, which expired more than nine  
12 months ago; however, the Court finds good cause for the amendment.

13        The Plaintiff initiated the litigation pro se. The Court dismissed the complaint with  
14 prejudice, but the Ninth Circuit vacated and remanded to allow for amendment. Last year, the  
15 circuit appointed prior counsel for the Plaintiff. But that counsel withdrew from the case without  
16 amending the pleading. Substitute counsel was just recently appointed to this matter and filed the  
17 instant motion. Accordingly, the Court finds that the Plaintiff is entitled to file an amended  
18 complaint and has sixty days from the filing of this order to do so.

## CONCLUSION

IT IS HEREBY ORDERED that the Plaintiff's Ex Parte Motion for Deadline to File  
Amended Complaint (ECF No. 40) is GRANTED.

22 IT IS FURTHER ORDERED that the hearing set for 9/17/2019 (ECF No. 41) is  
23 VACATED.

## 24 || IT IS SO ORDERED.

25 Dated this 27th day of August 2019.

  
ROBERT C. JONES  
United States District Judge